

**DOE DECLARATION**  
**DECLARATION UNDER 37 CFR 1.68**

We, declare:

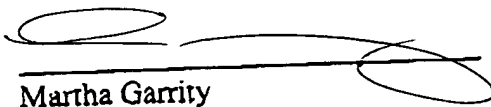
That we made and conceived the invention described and claimed in patent application Serial Number 09/761,969, filed in the United States of America on January 16, 2001, entitled "*Vitamin D Assay*."

That we made and conceived this invention while employed by Nichols Institute Diagnostics Corporation and that the invention is related to work we were employed to perform and was made within the scope of our employment duties; that the invention was made during work hours and with the use of facilities, equipment, materials, funds, information, and services of Nichols Institute Diagnostics.

That to the best of our knowledge and belief, the invention was not made or conceived in the course of, or in connection with, or under the terms of contract, subcontract or arrangements entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration of the Department of Energy or any other U.S. government agency

The undersigned inventors declare further, that all statements made herein of their own knowledge, are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon

First Inventor's signature:

  
Martha Garrity

Date

5/7/01

Second Inventor's signature:

  
Jacqueline Tran

Date

5/7/01